

Elyria-Lorain Broadcasting operates five independent local radio stations in northern Ohio. We have been a successful community broadcaster for over 50 years. Like the majority of broadcasters we offer no programming deemed to be obscene, indecent or profane at any time, nor have we ever been accused of doing so.

We understand that language and mores of society change over time and what is acceptable today, in many cases, was unacceptable behavior or language in the past. Attempts to legislate morality have always failed. We feel this attempt to require self-incriminating recordings is a blatant attempt to cause government intimidation to stifle the creative process.

The National Association of Broadcasters calculates that less than 0.058% of broadcasters have been determined by the FCC to have violated indecency statutes. I would assume that less than 1% of broadcast stations have been accused of violations.

We feel the personnel and financial burden requiring stations to record and retain all program material broadcast between 6am and 10pm appear to be an attempt to kill an ant with an atom bomb. The recording of all broadcast material for our five stations, and the subsequent storage of such recordings would be very costly and of little long term value. At an estimated \$9,000 per station for initial equipment, storage media, storage space and personnel time/effort, the burden on our small company would be \$45,000 in the first year, and \$23,750 annually thereafter. (Estimated First Year costs per station: \$3500 Computer and audio setup, \$ 750 Software, \$ 750 Media (CD blanks), \$2000 Secure storage Space, \$2000 Personnel time.

Further, the basis of our constitutional legal system is innocent until proven guilty. With the proposed regulations the tapes may be used to incriminate. It appears a slippery slope toward government censorship. The legal system has always relied on the complainant for the burden of evidence. The proposed rules would move that burden to the station licensee.

We strongly object to the implementation of these rules on a moral, Constitutional and financial basis. The present rules and penalties prohibiting obscene material, if properly enforced, are sufficient to keep those few errant broadcasters in line. There is little sense adding another set of rules and an extreme burden to all of the other broadcasters.

Sincerely,

Gary L. Kneisley, President
Elyria-Lorain Broadcasting Co.
WEOL/WWNV/WKFM/WLKR-AM/WLKR-FM